IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 1919 of 2006
Date of decision: 30.03.2007

Nachhattar Singh

..... Petitioner.

Versus

Gurcharan Singh & Ors.

..... Respondents.

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr. Pardeep Goel, Advocate
for the petitioner.

Mr. A.S. Shyam, Advocate
for respondent Nos. 1 and 2.

Mr. Ashish Verma, Advocate
for respondent Nos. 3 to 5.

M.M. AGGARWAL, J. (ORAL)

On behalf of the petitioner, it is stated that the case is still fixed for evidence of plaintiff and the next date is 12.06.2007.

This is petition against the judgment dated 21.02.2006 of Additional District Judge, Sangrur whereby an appeal filed by the defendant Gurcharan Singh against an order dated 23.08.2005 of the trial Court, was allowed and application of the plaintiff-petitioner under Order 39 Rules 1 and 2 of the Code of Civil Procedure, was dismissed.

It comes out that plaintiff-petitioner had filed a suit for permanent injunction for restraining the defendant-electricity Board from illegally and shifting electric motor to any other place and restraining defendant No.1 from alienating the electric motor connection and also for restraining defendant Nos. 1 and 2 from preventing the plaintiff from irrigating his land from the said motor.

Along with the suit, an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure was filed, which was allowed by the trial Court. Against that order, an appeal was filed by Gurcharan Singh, defendant-respondent, which was accepted and application under Order 39 Rules 1 and 2 of Code of Civil Procedure was dismissed.

At this stage, it is not possible for this Court to interfere in the impugned order. The suit is still pending and the rights of the parties are to be decided after evidence to be led by the parties.

Under these circumstances, it will be proper that the trial Court is directed to hold expeditious trial.

Accordingly, this petition is disposed of with the direction that trial Court shall give short adjournments and hold expeditious trial and make efforts to dispose of within a period of six months from the next date fixed.

March 30, 2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**